

Superfund Program Implementation Manual FY 04/05

Appendix G: Government Performance and Results Act (GPRA)

[Appendix G is still under development, pending 2003 Strategic Plan approval.]

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Appendix G

Government Performance and Results Act (GPRA)

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Appendix G

Government Performance and Results Act (GPRA)

G.A GOVERNMENT PERFORMANCE AND RESULTS ACT (GPRA) OF 1993

Superfund's program planning and reporting requirements have evolved and matured from intricate, internally focused measures, to aligning and measuring resources with activities and reporting the environmental outcomes of the work undertaken at hazardous waste sites. The National Goals Project of 2005 and the Chief Financial Officer's (CFO) Act started the evolution of Superfund program management by shifting the focus from tracking administrative and program outputs to a results-oriented future (e.g., Superfund Environmental Indicators) in which the program is held accountable for its actions. Superfund has continued its evolution towards more outcome-oriented measures under the Congressionally mandated GPRA, which provides the overarching principles for Superfund program management.

Background

In 1993, Congress enacted the Government Performance and Results Act of 1993 (Public Law 103-62) based on its findings that:

- Waste and inefficiency in Federal programs undermine the confidence of the American people in the government and reduces the Federal government's ability to adequately address vital public needs;
- Federal managers are seriously disadvantaged in their efforts to improve program efficiency and effectiveness because of insufficient articulation of program goals and inadequate information on program performance; and
- Congressional policy making, spending decisions, and program oversight are seriously handicapped by insufficient attention to program performance and results.

The purposes of the Act are to:

- Improve the confidence of the American people in the capability of the Federal government, by systematically holding Federal agencies accountable for achieving program results;
- Initiate program performance reform with a series of pilot projects in setting program goals, measuring program performance against those goals, and reporting publicly on their progress;
- Improve Federal program effectiveness and public accountability by promoting a new focus on results, service, quality, and customer satisfaction;
- Help Federal managers improve service delivery, by requiring that they plan for meeting program objectives and by providing them with information about program results and service quality;
- Improve Congressional decision making by providing more objective information on achieving statutory objectives, and on the relative effectiveness and efficiency of Federal programs and spending; and
- Improve internal management of the Federal government.

The Government Performance and Results Act (GPRA) holds federal agencies accountable for using resources wisely and achieving program results. GPRA requires agencies to develop plans for what they intend to accomplish, measure how well they are doing, make appropriate decisions based on the information they have gathered, and communicate information about their performance to Congress and to the public.

The Superfund program seeks to improve its ability to measure progress in achieving its true environmental mission: to control the risks to human health and the environment at contaminated properties, and to make land available for reuse.

In FY 2004, EPA will measure its progress in achieving environmental results through seven key strategic targets. These seven strategic targets include: (1) performing site assessments leading to final decisions assessing the extent of contamination at sites, (2) initiating removal response actions, (3) selecting final remedies designed to clean up contamination to risk levels that are protective of human health and the environment and appropriate for reasonably anticipated future land use, (4) completing construction of the selected remedies, (5) protecting the public from the health effects of exposure to contamination, (6) controlling the migration of contaminated groundwater, and (7) returning land to productive uses by cleaning up contamination to risk levels appropriate for reasonably anticipated future land uses. Each strategic target represents an important milestone in achieving risk reduction; no one measure can itself adequately capture the total environmental benefits derived from the Superfund program.

Strategic targets (1), (2) and (4), above, have been in place for several years. Two of the strategic targets, (5) and (6), were implemented for the first time in FY 2002. Strategic targets (3) and (7) are new for FY 2004.

Strategic targets (5) and (6) highlight EPA's efforts to control human exposure pathways and the migration of contaminated groundwater at NPL and non-NPL sites. In FY 2002, these two strategic targets first provided baseline information about whether human exposures and the migration of contaminated groundwater are currently under control under the existing conditions at NPL sites. These two strategic targets focus on the current conditions at sites (i.e., current exposures and current land use) and highlight sites where some risk reduction has occurred as a result of EPA's activities. As such, these indicators seek to quantify the benefits resulting from intermediate cleanup and investigative activities.

The Human Exposure Under Control strategic target is designed to describe whether adequately protective controls are in place to prevent any unacceptable human exposure under current land and groundwater use conditions only. This strategic target does not consider potential future land or groundwater use conditions or ecological receptors. As of September 30, 2002, over 80% of NPL sites had human exposures until control. The Superfund program expects to control human exposures at an additional 10 sites for both FY 2003 and FY 2004.

The Groundwater Migration Under Control strategic target is meant to describe whether the migration of contaminated groundwater from a Superfund site is being controlled through engineered remedies or natural processes. As of September 30, 2002, the migration of contaminated groundwater was under control at over 60% of NPL sites with contaminated groundwater. The Superfund program expects to control the migration of contaminated groundwater at an additional 10 sites for both FY 2003 and FY 2004.

The Superfund program is committed to returning underutilized land to productive reuse through its cleanup and other actions. Superfund initiated a workgroup in FY 2003 to develop a strategic target for this activity. As a result of its efforts, Superfund is introducing Strategic Target (7) in FY 2004.

Other performance measure related activities include the One Cleanup Program Initiative, in which Superfund is an active participant. The Measuring for Results component of the One Cleanup Program Initiative involves developing an unified, cohesive set of performance measures for all cleanup programs. As a result of this effort, Superfund is introducing Strategic Target (3), which mirrors a similar performance measure used for years in the RCRA program.

In FY 2004, Superfund will also be working with Regions to extend the traditional and evolving performance measures, including construction completions, to the Superfund Alternative Sites. The current focus of this effort is to improve the quality of CERCLIS data, particularly on sites in the alternative universe. A HQ/regional workgroup is being formed to finalize the approach for tracking and counting construction completions.

G.A.1 Strategic Plan Requirements

Agencies were required to submit their first strategic plan no later than September 1997. The strategic plan must be updated once every three years or when there are significant policy, programmatic, or other changes to any element of the current plan. Minor changes to the strategic plan can be incorporated in advance of the three-year cycle by including the changes in the annual performance plan.

The strategic plan covers a minimum period of six years, beginning in the fiscal year that it is written. The first EPA strategic plan was published in September 1997 and covered the nine years of FY 1997 through FY 2005. The latest strategic plan was published in September 2000 and covers the six years of FY 2000 through FY 2005. Strategic plan elements required by GPRA are as follows:

a. Comprehensive Mission Statement

The mission statement is a brief statement which defines the basic purpose of the agency. It focuses on the core programs and activities, including a brief discussion of the enabling or authorizing legislation and issues Congress specifically charged the agency to address.

b. General Goals and Objectives

The strategic plan documents the long-term programmatic, policy, and management goals of the agency, including the planned accomplishments and the schedule for their implementation. The general goals and objectives elaborate how the agency will carry out its mission. To the extent possible, this should be in the form of outcome-type goals. In the EPA strategic plan objectives are broken down into subobjectives to address specific issues not captured in the broad objective statements. These subobjectives correspond with program result codes (PRCs) in the EPA planning and budget structure.

The criteria for the general goals and objectives are as follows: (a) the goals/objectives need to be precise in order to direct and guide the staff to fulfill the mission of the agency; (b) the goals/objectives should be within the agency's span of influence; and (c) the goals/objectives should be defined in a manner that allows future assessment to be made on whether the goals/objectives were or are being achieved.

c. Description of How General Goals and Objectives Will Be Achieved

This section describes the means the agency will use to meet the general goals and objectives. This includes, when applicable: (a) operational processes; (b) skills and technologies; and (c) human, capital, information, and other resources.

d. Relationship Between Goals in the Annual Performance Plan and in a Strategic Plan

The strategic plan should briefly outline: (a) the type, nature, and scope of performance goals to be included in a performance plan; (b) the relationship between the performance goals and the general goals and objectives; and (c) the relevance and use of performance goals in helping determine the achievement of general goals and objectives.

e. Key Factors Affecting Achievement of General Goals and Objectives

The strategic plan identifies key external factors that are beyond the Agency's control that could significantly affect the achievement of the general goals and objectives. The external factor needs to be linked to a goal(s) and describe how the achievement of the goal could be affected by the factor.

f. Program Evaluations

Program evaluations that were used in preparing the strategic plan should be briefly described. Also, a schedule for future program evaluations needs to be included.

Development of the strategic plan is considered to be an inherently governmental function; therefore, it can only be performed by Federal employees.

G.A.2 Annual Performance Plan

Agencies submit an annual performance plan to Congress with the enacted operating plan for each fiscal year. The performance plan includes:

a. Performance Goals

Objective, quantifiable, and measurable performance goals that define the level of performance to be achieved by a program activity. At EPA these are called annual performance goals (APGs).

b. Resources

A brief description of the operational processes, skills and technology, and the human, capital, information, or other resources required to meet performance goals.

c. Performance Indicators

Performance indicators to assess the relevant outputs, service levels, and outcomes of each activity. At EPA these are called annual performance measures (APMs).

d. Verification and Validation

A basis for comparing actual program results with the established performance goals, and a description of the methodology to be used to verify and validate measured values.

The development of the annual performance plan is considered to be an inherently governmental function; therefore, it can only be performed by Federal employees.

G.A.3 Annual Performance Report

Agencies are required to submit an annual performance report to the President and Congress no later than March 31 of each year. The performance report includes:

- The performance indicators in the agency performance plan with a comparison of the program performance achieved against the performance goal(s) that were set;
- A review of the success in achieving the performance goals;
- An assessment of the performance plan for the current fiscal year relative to the performance achieved in the preceding fiscal year;

- An explanation and description where a performance goal was not met, of: (a) why the goal was not met, (b) plans and schedules for achieving the performance goal; or (c) recommended action if the performance goal is impractical or infeasible (e.g., current or future funding is inadequate, an unforeseen occurrence impedes achievement);
- A description of the use and effectiveness of a managerial flexibility waiver in achieving the performance goal;
 - An indication of any individual or organizational consequences resulting from a failure, after using the waiver, to maintain the previous level of performance;
 - A brief explanation of the reasons for suspending or ending prematurely any waiver that was in effect for the fiscal year;
- A summary of the program evaluations completed during the fiscal year;
- Performance trend data for the three preceding fiscal years. These data will phase into the report (e.g., for FY 00, FY 99 data; for FY 01, FY 99 - FY 00 data; for FY 02, FY 99 - 01 data; for FY 03, FY 00 - 02 data); and
- An acknowledgment of the role and a description of the contributions made by non-Federal entities in the preparation of the report.

Development of the annual performance report is considered to be an inherently governmental function; therefore, it can only be performed by Federal employees.

G.B. SUPERFUND GPRA STRUCTURE

The following is EPA's planning and budgeting architecture for Superfund appropriations. These correspond to the 2003 Strategic Plan. Changes to both the architecture and annual performance goals and measures may occur if a new strategic plan is written or as part of the FY 2004 enacted operating plan process. The strategic plan and FY 2004 budget request can be found on the EPA internet at <http://www.epa.gov/ocfopage/>. The numerical goals indicated in each APG are national. Regions negotiate their own specific targets with Headquarters during the annual work planning sessions held in mid-October.

Goal 3: Preserve and Restore the Land

Preserve and restore the land by reducing and controlling risks posed by releases of harmful substances; promoting waste diversion, recycling, and innovative waste management practices; and cleaning up contaminated properties to levels appropriate for their beneficial reuse.

Objective 3.1: Prevention of, Preparedness for, and Response to Accidental and Intentional Releases.

By 2008, reduce and control the risks posed by accidental and intentional releases of harmful substances by improving our nation's capability to prevent and respond more effectively to these emergencies.

Sub-objective 3.1.1: Preparedness for Emergencies.

By 2008, improve the Agency's emergency preparedness by achieving and maintaining the capability to respond to simultaneous large-scale emergencies, and increasing response readiness by XX% (from a baseline established in FY 2003).

Measure: Increase in core emergency response readiness

Measure: OSCs trained, equipped and ready to respond

Sub-objective 3.1.2: Respond to Hazardous Substances Releases Spills

By 2008, EPA will increase the cumulative number of responses to hazardous substance releases from 7,469 to 9,219.

Measure: Improvement in response effectiveness

Measure: Hazardous substance removal action starts

Objective 3.3: Cleanup and Reuse of Contaminated Land

By 2008, control the risks to human health and the environment at contaminated properties or sites, and make land available for reuse.

Sub-objective 3.3.1: Control Risks at Contaminated Sites

By 2008, risks to human health and the environment at contaminated sites will be controlled through cleanup, assessment, stabilization, or other action.

Strategic Target: Site Assessments

Strategic Target: Current Human Exposures Under Control

Strategic Target: Groundwater Migration Under Control

Strategic Target: Remedy Selections

Strategic Target: Cleanups

Sub-objective 3.3.2: Make Land Available for Reuse

Through 2008, land will be made available for reuse through cleanup, assessment, stabilization, or other action which indicates that such lands are restored to levels that are protective for the next reasonably anticipated future land use.

Strategic Target: Land available for reuse

Sub-Objective 3.3.3: Maximize Potentially Responsible Party Participation at Superfund Sites

Through 2008, conserve Superfund trust resources by ensuring that potentially responsible parties conduct or pay for Superfund cleanups whenever possible.

Strategic Target: Through 2008, EPA will reach a settlement or take an enforcement action by the time of the Remedial Action (RA) start at 90% of Superfund sites (with RA starts during the fiscal year) that have known, non-Federal, viable, liable parties.

Strategic Target: Through 2008, EPA will address all Statute of Limitations (SOL) cases for Superfund sites with unaddressed total past costs equal to or greater than \$200,000.

G.C SUBJECT MATTER EXPERTS

The following table identifies the subject matter experts for Appendix G.

EXHIBIT G.1 SUBJECT MATTER EXPERTS

Subject Matter Expert	Subject Area	Phone #
Richard Jeng/ Rafael Gonzalez	Construction Completion	(703) 603-8749 (703) 603-8892
Terry Eby	Removal	(703) 603-8741
Patricia Kennedy	Enforcement	(202) 564-6061
Melanie Hoff	Environmental Indicators	(703) 603-8808
Lance Elson	Federal Facility Enforcement	(202) 564-2577
Augusta Wills	Federal Facility Enforcement	(202) 564-2468
Joshua Barber	Federal Facility Response	(703) 603-0265
John Harris	Land Re-use	(703)603-9075
Emily Johnson	OERR GPRA	(703) 603-8764
Bruce Means/ Matt Charsky	Remedy Selection	(703) 603-8815 (703) 603-8777
Robert White	Response Appendix Coordinator	(703) 603-8873
Randy Hippen	Site Assessment	(703) 603-8829

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